

CITY OF MUSKEGON  
MUSKEGON HOUSING BOARD OF APPEALS  
MEETING MINUTES  
09/07/06  
5:30PM

ATTENDANCE: Randy Mackie, Jon Rolewicz, Greg Borgman(late), Chris Carter,  
Kirk Kolberg

ABSENT:

EXCUSED: Nick Kroes, Ed Simmons

STAFF: Mark Kincaid, Henry Faltinowski, Ken Murar, Jim Hoppus, Don  
LaBrenz

GUESTS: Belia Garza (1927 Brunswick), Ciggzree Morris & Spencer  
Norman (790 Terrace), Kelvin Cunningham (571 W. Clay)

Meeting minutes: A motion was made by Randy Mackie and seconded by Chris Carter  
to approve the August 2006 minutes.

A roll call vote was taken:

AYES:

Randy Mackie  
Jon Rolewicz

Chris Carter

Kirk Kolberg

NAYES:

EXCUSED:

Greg Borgman (late)

Nick Kroes

Ed Simmons

ABSENT:

Motion carried.

**DANGEREROUS BUILDING REVIEW CASES:**

**EN-060041 – 1927 Brunswick – Belia Garza, 1441 Mosedale, Muskegon, MI 49442**

Belia Garza was present to represent case.

Mark Kincaid stated last month Ms Garza promised she would provide timeline and pull permits and nothing has happened. Ms Garza said she does not have the funds to repair the home. Ms Garza asked if she could demolish house herself. Don LaBrenz stated homeowner can demolish home but everything has to be as if a house was never there. Ms Garza's son stated there may be some interested buyers and wanted to know the process. Jon Rolewicz stated the next step would be to go before the City Commission to concur with the Housing Board of Appeals but potential buyers should contact the Inspections Department.

Staff Recommendation: Declare the building substandard, a public nuisance, and dangerous building.

Motion made by Randy Mackie and seconded by Chris Carter to accept staff recommendation.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>
Randy Mackie		Greg Borgman (late)	
Jon Rolewicz			
Chris Carter		Nick Kroes	
Kirk Kolberg		Ed Simmons	

Motion carried.

**EN-060041 – 571 W. Clay – Kelvin Cunningham, 571 W. Clay, Muskegon, MI 49440**

Kelvin Cunningham was present to represent this case.

Mr. Cunningham stated since he was before board in November of 2005 he had not pulled any permits nor provided a timeline because he doesn't have the resources to complete repairs. He said some items have been taken care such as exposed wiring. He stated he now has some financial dilemmas and has been on disability due to recovering from knee replacement surgery since May of 2006 and said he will take

care of discrepancies when he's able. Greg Borgman asked if Mr. Cunningham had looked into any financial aid. Mr. Cunningham said he falls into that category where he makes just over the requirement to qualify for help. Mr. Cunningham said he went to Neighborhood Investment Corp but they said they were out of funds. Mark Kincaid said a lot of progress has been made and we're happy with that and Mr. Cunningham has kept in touch with Inspections. Chris Carter suggested to Mr. Cunningham about checking into getting a MSHDA loan and making sure name is on list for Neighborhood Investment Corp when funds become available and to keep in touch with Inspections Department.

Staff Recommendation: Table case until the September 2007 meeting.

Motion made by Greg Borgman and seconded by Chris Carter to accept staff recommendation.

A roll call vote was taken:

AYES:

Greg Borgman  
Randy Mackie  
Jon Rolewicz

NAYES:

EXCUSED:

ABSENT:

Chris Carter

Kirk Kolberg

Nick Kroes

Ed Simmons

Motion carried.

**DANGEROUS BUILDING NEW CASES:**

**EN-040065 – 790 Terrace –Promised Land Assoc., 3315 Real Street, Houston, TX 77087**

Ciggzree Morris and Spencer Norman were present to represent this case.

Mrs. Morris passed out an activity log for the board to review. Mrs. Morris apologized for not keeping in contact with Inspections. She mentioned they are working with a mentor and had planned on rehabilitating all three floors initially but now want to focus on the main floor for the restaurant and leave the lower and upper floors dormant. She said they had met with Inspections and were instructed to meet with an architect. She said they would like to first work on the exterior. She said they now have a new architect on board. Jon Rolewicz asked about timeline. Mrs. Morris said they just took the architect thru the building. Greg Borgman asked if building was secured,

which Mrs. Morris said building was secured and they have been keeping the grounds clean. Mrs. Morris stated they would like to have a walkthrough inspection to know what it would take to open the main floor but was told they needed drawings first. Mark Kincaid said it has been almost a year since the Obsolete Building application was approved and we need some architectural drawings to base a interior inspection on. Mark Kincaid stated staff would recommend it be declared to keep the process moving. Chris Carter said he would like to see an inspection take place. Don LaBrenz said since the building is going be gutted they need to hear from architect to know the vision for the building. Chris Carter asked about designation of the Obsolete Building application as to the timeline needs to be addressed. Mr. Carter asked about timeline on financing. Mrs. Morris said they would be financially able to start working on the outside before the weather changes. Greg Borgman asked if staff was more worried about the Obsolete Application status. Chris Carter asked what puts a building on the dangerous building list exterior, interior or both. Don LaBrenz stated it's the building as a package but even if we don't get into the building usually there is enough evidence on the exterior that would lead us to believe the interior in not in any better shape. Chris Carter asked if a timeline for the exterior would be sufficient then review again. Henry Faltinowski said we have to be careful about doing just the roof and siding because if there is any structural damage that a engineer needs to look at then you would be defeating the purpose. Mark Kincaid said even if declared tonight that would not stop owners from getting permits and submitting timelines because as long as progress is being made it won't go to the City Commission. Roger Nielson, partner of Promised Land Assoc who optioned the building to Mrs. Morris asked what would throw the case out of the Obsolete building status and said the building was brought to code 12 years ago when it was a operating restaurant. He said the key question is what has to be done to save the obsolete building status and if putting the status of condemnation will hurt the process.

Motion made by Chris Carter and seconded by Kirk Kolberg to table case until the October 2006 meeting to allow owner to schedule interior inspection and check status of obsolete building application.

A roll call vote was taken:

AYES:

Greg Borgman  
Randy Mackie  
Jon Rolewicz

NAYES:

EXCUSED:

ABSENT:

Chris Carter

Kirk Kolberg

Nick Kroes

Ed Simmons

Motion carried.

**EN-060025- 621 Leonard - Marshall Redder, 3960 30<sup>th</sup> St. SW, Grandville, MI 49418**

No one was present to represent case.

Mark Kincaid stated Mr. Redder was in the Inspection Department to say most items were completed but permit has expired, a inspection is scheduled for September 18, 2006.

Motion made by Chris Carter and seconded by Randy Mackie to declare building substandard, a public nuisance, and dangerous building.

A roll call vote was taken:

AYES:

Greg Borgman  
Randy Mackie  
Jon Rolewicz

NAYES:

EXCUSED:

ABSENT:

Chris Carter

Kirk Kolberg

Nick Kroes

Ed Simmons

Motion carried.

OLD BUSINESS:

NEW BUSINESS:

**ADJOURNMENT:**

**6:15 PM**

CITY OF MUSKEGON

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF  
THE CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES.

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, upon twenty-four hours notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Linda Potter, City Clerk  
933 Terrace Street  
Muskegon, MI 49443  
(616) 724-6705 or TDD (616) 724-6773